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6 **Attorneys for Defendant**  
**PNC BANK, NATIONAL ASSOCIATION, as**  
7 **successor by merger to National City Bank**  
8 **(named as "National City Bank")**

9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **OAKLAND DIVISION**

12 DIANA ENGEL, an individual,

13 Plaintiff,

14 v.

15 WASHINGTON MUTUAL BANK, FA, a  
16 business entity, form unknown; NATIONAL  
17 CITY BANK, a business entity, form unknown;  
18 ALLIANCE TITLE COMPANY, a business  
19 entity, form unknown; UNITED TITLE AND  
20 SETTLEMENT, a business entity, form  
21 unknown; CALIFORNIA RECONVEYANCE  
22 COMPANY, a business entity, form unknown;  
23 MORTGAGE ELECTRONIC  
24 REGISTRATION SYSTEMS, INC., a business  
25 entity, form unknown; and DOES 1-100,  
26 inclusive,

27 Defendants.

Case No.: 4:11-cv-00055 SBA

*Assigned For All Purposes To:*  
Hon. Sandra Brown Armstrong  
Courtroom 1 – 4<sup>th</sup> Floor

**STIPULATION AND ORDER CONTINUING  
CASE MANAGEMENT CONFERENCE**

Date: October 26, 2011  
Time: 2:30 p.m.  
Place: By Telephone

28 Defendant PNC BANK, NATIONAL ASSOCIATION, as successor by merger to National  
City Bank (named as "National City Bank") ("PNC"), Plaintiff DIANA ENGEL ("Plaintiff") and  
Defendant CALIFORNIA RECONVEYANCE COMPANY ("CRC") (collectively, the "Parties")  
hereby stipulate as follows:

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WHEREAS, the Initial Case Management Conference ("CMC") is scheduled to occur by telephone on October 26, 2011;

WHEREAS, the Parties have met and conferred through their attorneys regarding the status of the case and the upcoming CMC;

WHEREAS, PNC's motion to dismiss Plaintiff's complaint is under submission with the court;

WHEREAS, per the agreement of Plaintiff, CRC has not filed a response to the complaint, and the case is not at issue;

WHEREAS, counsel for CRC reports that Plaintiff sold the subject real property on or about August 26, 2011;

WHEREAS, in light of the reported sale of the property, Plaintiff's counsel requires additional time to confer with his client regarding whether she wishes to continue to prosecute this case; and

WHEREAS, given the foregoing, the Parties believe that it would be inefficient to hold the CMC on October 26 and that the case will not be ripe for scheduling or other case management at that time, and

THEREFORE, IT IS HEREBY STIPULATED THAT the Initial Case Management Conference, currently set for October 26, 2011, shall be continued at least 60 days to allow additional time for Plaintiff's counsel to confer with his client and for the court to rule on PNC's motion to dismiss.

IT IS SO STIPULATED.

DATED: October 14, 2011

WOLFE & WYMAN LLP

By: /s/ Marcus T. Brown SBN 255662

STUART B. WOLFE

MARCUS T. BROWN

**Attorneys for Defendant**

**PNC BANK, NATIONAL ASSOCIATION, as  
successor by merger to National City Bank (named  
as "National City Bank")**

1 DATED: October 14, 2011

LEPERA & ASSOCIATES, PC

2 By: /s/ Joseph A. Lepera

3 JOSEPH A. LEPERA

4 **Attorneys for Plaintiff**

**DIANA ENGEL**

5 DATED: October 14, 2011

MORRISON & FOERSTER LLP

6 By: /s/ Brian L. Levine

7 BRIAN L. LEVINE

8 **Attorneys for Defendant**

**CALIFORNIA RECONVEYANCE COMPANY**

**ORDER**

The Court, having reviewed the Stipulation Continuing Case Management Conference, and Good Cause appearing therefore, makes the following Order:

IT IS HEREBY ORDERED THAT the telephonic Case Management Conference currently scheduled for October 26, 2011, is CONTINUED to January 25, 2012 at 2:45 p.m. Prior to the date scheduled for the conference, the parties shall meet and confer and prepare a joint Case Management Conference Statement. The joint statement shall be filed no later than seven (7) days prior to the conference and shall comply with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiff shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

IT IS SO ORDERED.

Dated: 10/17/11

  
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Hon. Sandra Brown Armstrong  
U.S. DISTRICT COURT JUDGE